made oftener than once in two years", in Section 7, be omitted. The intervals at which weights and measures are to be verified and certificates granted, are some of the matters of detail which will be provided for in the rules to be passed under the Regulation.

Seconded by Mr. A. Sri Narayanan Thampi.

Carried.

Mr. A. M. Muthunayagom Pillai.—We want a penal provision to enforce Section 5 as now revised. I would propose that the following be inserted as Section 10 :—

"Whoever, in contravention of any Notification issued under Section 5 knowingly uses as authorised and certified, any weight, measure, weighing machine or balance, not duly authorised and certified under the provisions of this Regulation or of the Notifications and Rules issued thereunder, shall be punished with imprisonment for a term which may extend to three months, or fine which may extend to Rs. 100, or both."

Seconded by Mr. N. Subramania Iyer.

Carried.

Mr. A. M. Muthunayagom Pillai :—I beg to propose that the words "on conviction before a Magistrate of the Second Class," in Section 10 of the Bill, be omitted, and the Section numbered as 11.

Seconded by Mr. S. Sankara Pillai.

Carried.

Mr. A. M. Muthunayagom Pillai.—I beg to move that the Bill, as now amended, be read again on a future day of which notice shall be given.

The motion was put and agreed to.

THE FOREST REGULATION AMENDMENT BILL.

Mr. A. M. Muthunayagom Pillay. —Sir, I beg to present the Report of the Select Committee on the Forest Regulation Amendment Bill. The Report has been duly published in the Gazette and copies thereof circulated among the Members. I beg to move that the Bill be now taken up for consideration.

Seconded by Mr. N. Subramania Iyer.

Carried.

Section 8.

Mr. K. K. Kuruvila.—With reference to Section 8, 2nd amendment, regarding the omission of the fourth para in the existing Regulation, I beg to submit, with the permission of the President, that the retention of that paragraph is very desirable for several reasons, as the foremost of which may be mentioned the interests of Government itself. The sufferer, even though silent before the Special Officer, has the right to sue the Government in the Civil Court as soon as the final Notification is published. If, by the incompleteness of the enquiry by the Special Officer, Government has been trapped into a wrong action and the Civil Court supports the plaintiff, the damage to the reputation and interests of Government will be serious. Another reason is that the proposed notice through the Post or Anchel may, by some misshance, fail in reaching the addressee. The good faith of the enquiry and the desire in Government for equity in its actions, may also be mentioned to support my position. Ordinarily, the Special Settlement Officers are Dewan Peishcars, and the ascertainment by them of the existence or otherwise of recorded rights, could not involve any insurmountable difficulty.

I therefore move that para 4 be retained.

Seconded by Mr. A. Sri Narayanan Thampi.

Carried.

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Section 19.

Mr. A. M. Muthunayagom Pillai.—I beg to propose that the word "Dewan's" be inserted between the words "Our" and "previous sanction", in line 2 of the proviso to Section 19.

Seconded by Mr. N. Subramania Iyer.

Carried.

Section 33.

Mr. K. K. Kuruvila.—With reference to the 2nd amendment under Section 33, about the omission of the words "which are royalties", I beg to submit, with the President's permission, that, while I sympathise with the desire of the Forest department for expanded powers under the Section, I have equal sympathy with the views expressed in the dissenting notes of my friend Mr. A. Sri Narayanan Thampi. The former's claim for regulating the transit of trees other than royalties, is in the interests of forest revenue, and I do support the purview of the Section being extended to reserved trees &c., in addition to royal trees. But the words "forest produce" have a definition in the Regulation and refer only to such things as are found in or brought from a forest and cannot affect the handling by the inhabitants of permanently occupied compounds, of such trees as are their private property. The Section is one in the Chapter headed "forest produce", and I do not think any attempt to restrict by rules the free movement in the plains of purely private trees, can be justified in law. I therefore beg to submit that the words "which are royalties" may be omitted and the words "timber or other forest produce" substituted for "timber and forest produce."

Seconded by Mr. A. Sri Narayanan Thampi.

The motion was put to the vote and lost.

Mr. A. M. Muthunayagom Pillai.—The Conservator of Forests has written to say that an important amendment to Section 38, suggested by him, has not been adopted, and desires to have the point reconsidered. His suggested amendment is that the words "and being the property of the offender or his abettor" in Section 38, be omitted for the reason that, otherwise, the burden of proving in each case the ownership of the tools, vehicles &c., used in the commission of the offence, is thrown on the prosecution, and that it is not at all an easy matter to prove such ownership. I would here invite attention to the Proceedings of this Council dated 14-5-1892, when the Bill of the present Forest Regulation was under consideration. It will be seen therefrom that this point was the subject of keen discussion and it was finally decided to insert the words.

The Council resolved that the policy adopted in 1892 should be persisted in.

Mr. A. M. Muthunayagom Pillai.—I beg to move that the Bill, as now amended, be read again on a future day of which notice shall be given.

The motion was put and agreed to.

THE VAKILS REGULATION AMENDMENT BILL.

Mr. A. M. Muthunayagom Pillai.—I beg to move that the Vakils Regulation Amendment Bill be read again and passed.

Seconded by Mr. S. Sankara Pillai.

Carried.

The Council adjourned at 4 P. M.

P. RAJAGOPALA CHARI,
President.

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